

AMENDED IN SENATE JANUARY 3, 2022

**SENATE BILL**

**No. 377**

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**Introduced by Senator ~~Archuleta~~ *Hertzberg***

February 10, 2021

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An act to add Section 114871 to the Health and Safety Code, relating to radiologist assistants.

LEGISLATIVE COUNSEL'S DIGEST

SB 377, as amended, ~~Archuleta~~ *Hertzberg*. Radiologist assistants.

Existing law provides for the certification and regulation of radiologic technologists by the State Department of Public Health. Existing law authorizes the department to adopt regulations to implement those provisions, as specified.

This bill would prohibit a person from holding themselves out as a radiologist assistant unless the person meets specified requirements including examination and registration. The bill would prohibit a radiologist assistant from functioning in that capacity independent of a supervising radiologist and performing specified acts. ~~The bill would make a violation of these provisions punishable by a fine not exceeding \$5,000, imprisonment in a county jail for a period not exceeding one year, or by both that fine and imprisonment. By creating a new crime, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~yes~~ *no*.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 114871 is added to the Health and Safety  
2     Code, to read:

3     114871. (a) No person shall hold themselves out to be a  
4     radiologist assistant, or use the title “Radiologist Assistant”, or  
5     any other term, to imply or to suggest that the person is a  
6     Radiologist Assistant, unless the person meets all of the following  
7     requirements:

8     (1) The person has passed the radiologist assistant examination  
9     administered by the American Registry of Radiologic  
10    Technologists, the radiology practitioner assistant examination  
11    administered by the Certification Board for Radiology Practitioner  
12    Assistants, or another examination offered by a successor or  
13    comparable entity that has been determined by the department to  
14    evaluate the knowledge and skills necessary to ensure the  
15    protection of the public and approved by the department.

16    (2) The person maintains current registration with the American  
17    Registry of Radiologic Technologists, the Certification Board for  
18    Radiology Practitioner Assistants, or a successor or comparable  
19    entity.

20    (3) The person is certified or permitted to conduct radiologic  
21    technology in this state or possesses a radiologist assistant license  
22    from another state that licenses Radiologist Assistants.

23    (b) A radiologist assistant shall work only under the supervision  
24    of a radiologist and shall not function in their capacity as a  
25    radiologist assistant independent of a supervising radiologist.

26    (c) A radiologist assistant shall not interpret images, make  
27    diagnoses, or prescribe medications or therapies.

28    (d) A radiologist assistant may administer prescribed drugs only  
29    as directed by a supervising radiologist or their designee.

30    (e) A radiologist assistant may communicate and document  
31    initial clinical and imaging observations or procedures only to a  
32    radiologist for the radiologist’s use. A radiologist assistant may  
33    communicate a supervising radiologist’s report to an appropriate  
34    health care provider consistent with the American College of  
35    Radiology guideline for communicating diagnostic imaging  
36    findings.

37    (f) A supervising radiologist may delegate to a radiologist  
38    assistant, as the radiologist determines appropriate to the assistant’s

1 competence, those tasks or services that a radiologist usually  
2 performs and is qualified to perform.

3 ~~(g) A violation of this section is a misdemeanor punishable by~~  
4 ~~a fine not exceeding five thousand dollars (\$5,000), imprisonment~~  
5 ~~in a county jail for a period not exceeding one year, or by both that~~  
6 ~~fine and imprisonment.~~

7 ~~SEC. 2. No reimbursement is required by this act pursuant to~~  
8 ~~Section 6 of Article XIII B of the California Constitution because~~  
9 ~~the only costs that may be incurred by a local agency or school~~  
10 ~~district will be incurred because this act creates a new crime or~~  
11 ~~infraction, eliminates a crime or infraction, or changes the penalty~~  
12 ~~for a crime or infraction, within the meaning of Section 17556 of~~  
13 ~~the Government Code, or changes the definition of a crime within~~  
14 ~~the meaning of Section 6 of Article XIII B of the California~~  
15 ~~Constitution.~~